

REMARKS

This Response, filed in reply to the Office Action dated December 21, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-5, 7 and 9-17 remain pending the application. Claims 1, 2 and 9-14 have been allowed. Claims 3-5 and 15-17 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Rodgers et al. (U.S. 2002/0081006). Applicant respectfully submits the following arguments in traversal of the prior art rejections.

The Examiner rejects independent method claim 3 over Rodgers. In this connection, the Examiner refers to the rejection over Rodgers over claim 1. However, it is noted that there is no such rejection of claim 1, as claim 1 was deemed to be allowable. In addition, it was previously submitted that the claims, including claim 3, describe a relationship between relating of a result of abnormal pattern processing and the result of pathological assessment and the storage thereof. The Examiner has not rebutted prior submitted arguments that this relationship is not met in Rodgers.

For example, in the rejection of claim 3, the Examiner notes that S4 comprises a relation between an abnormal pattern processing and result of a pattern reading assessment. Rodgers describes S4 as the inclusion of a set of potential suspicious areas S1 and CAD-generated suspected abnormal sub-set S2. The Examiner incorrectly characterizes S4 is the combination of S1 and S3, where S3 is a further subset of images identified by the operator, e.g. the pathologic

assessment provided by the operator. The relationship of grouping and storage as claimed is not met by the storage segments in Rodgers, which would require reprocessing to define the groupings as claimed. Applicant submits that the Examiner is improperly reconstructing the reference to suit the rejection.

Applicant further submits that Rogers fails to teach or suggest the features of claim 3 relating to the results of a pathologic assessment. Generally, judgment as to whether a shadow in an image is abnormal or judgment as to whether the shadow is benign or malignant, is made based on the results of a pathologic assessment as well as the results of image diagnosis. Normally, doctors make final judgments based on the results of the pathologic assessment. In the present invention, the result of the detected abnormal pattern processing and the result of the pattern reading assessment, which are results of image diagnoses are related to a result of a pathologic assessment. In contrast, Rogers is silent about such a pathologic assessment, and the judgment in Rogers is a judgment of diagnosis. The advantageous effects of ease in statistical processing and higher level of pattern reading (as described at pages 18-19 of the disclosure) are achievable through use of the pathologic assessment.

Therefore, claim 3 is patentable for at least this reason, and claims 5 and 7 are patentable for analogous reasons.

With further regard to claim 4, this claim describes analysis based on stored pathological assessments. Because pathological assessments (e.g. S3) assessment are performed based on an

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operator input in Rodgers, these are not prestored as described by claim 4. In this regard, the Examiner's reference to the rejection of claim 2 is improper because claim 2 is allowable.

The remaining claims are patentable based on their dependency.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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